

Message

From: Engelman-Lado, Marianne [marianne.engelman-lado@yale.edu]
Sent: 11/1/2018 1:46:15 PM
To: McGhee, Debra [mcghee.debra@epa.gov]
CC: Rhines, Dale [rhines.dale@epa.gov]; Covington, Jeryl [Covington.Jeryl@epa.gov]; Stein, Jonathan [Stein.Jonathan@epa.gov]
Subject: Re: Ashurst Bar/Smith Community Organization March 5 2018 Complaint, Case No. 16R-17-R4: Supplementary Materials
Attachments: ATT00001.txt; ATT00002.txt

Thanks for the response. Let's definitely touch base, then, next week.

Best,

Marianne

Sent from my iPhone
 Apologies for brevity and errors

On Nov 1, 2018, at 9:00 AM, McGhee, Debra <mcghee.debra@epa.gov> wrote:

Hi, Marianne.

Johnathan and I are both out of the office today. Next week we can do a careful accounting of all the photographs sent and any that we have not been able to download and follow up with you by phone. I believe that we have been able to download and save any photographs that you sent as attachments. We had difficulty with photographs that were inserted into the body of the e-mail message.

Have a good weekend.

Debra E. McGhee

Team Lead
 External Civil Rights Compliance Office
 Office Phone: 202-564-4646

"Commit yourself to the noble struggle for human rights. You will make a greater person of yourself, a greater nation of your country, and a finer world to live in." ~ Martin Luther King, Jr., 18th April, 1959

From: Engelman-Lado, Marianne [mailto:marianne.engelman-lado@yale.edu]
Sent: Thursday, November 1, 2018 8:51 AM
To: Stein, Jonathan <Stein.Jonathan@epa.gov>
Cc: McGhee, Debra <mcghee.debra@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Biffi, Betsy <Biffi.Betsy@epa.gov>; Northrop, Caleb <caleb.northrop@yale.edu>; Acheampong, Elvis <elvis.acheampong@yale.edu>; Leah Aden <LAden@naacpldf.org>; Jonathan J. Smith <jjsmith@earthjustice.org>; Sarah M Jackson <smj2166@columbia.edu>; Ashley Marie Gregor <ag2589@columbia.edu>; Nicole Sockett <nicole.sockett@columbia.edu>; Suzanne Novak <snovak@earthjustice.org>; Dorka, Lilian <Dorka.Lilian@epa.gov>
Subject: Fwd: Ashurst Bar/Smith Community Organization March 5 2018 Complaint, Case No. 16R-17-R4: Supplementary Materials

Jonathan,

I just left a message on your voicemail suggesting that we get on the phone quickly to discuss (a) which photos you've been able to download, (b) why they are not arriving as attachments, and (c) what we can do to make sure you have access to the photos. I re-sent the email referenced below with attachments again on October 30th in response to a request precisely to ensure that you would be able to access the photographs, which were attached to the email. We sent four sets of photographs and I want to make sure you have been able to download all of the others. As an alternative, we could put all four sets of photographs in a dropbox, for instance.

I'll be in and out of meetings and heading to Seattle this evening, but let's set up a time to talk briefly either today or tomorrow.

Thanks,

Marianne

Marianne

Marianne Engelman Lado
mle2128@columbia.edu

Ex. 6 Personal Privacy (PP)

Begin forwarded message:

From: "Stein, Jonathan" <Stein.Jonathan@epa.gov>
Date: October 31, 2018 at 10:52:32 AM EDT
To: "Engelman-Lado, Marianne" <marianne.engelman-lado@yale.edu>, "Rhines, Dale" <rhines.dale@epa.gov>, "McGhee, Debra" <mcghee.debra@epa.gov>, "Covington, Jeryl" <Covington.Jeryl@epa.gov>, "Biffl, Betsy" <Biffl.Betsy@epa.gov>
Cc: "Northrop, Caleb" <caleb.northrop@yale.edu>, "Acheampong, Elvis" <elvis.acheampong@yale.edu>, Leah Aden <LAden@naacpldf.org>, "Jonathan J. Smith" <jjsmith@earthjustice.org>, Sarah M Jackson <smj2166@columbia.edu>, Ashley Marie Gregor <ag2589@columbia.edu>, Nicole Sockett <nicole.sockett@columbia.edu>, Suzanne Novak <snovak@earthjustice.org>, "Dorka, Lilian" <Dorka.Lilian@epa.gov>
Subject: RE: Ashurst Bar/Smith Community Organization March 5 2018 Complaint, Case No. 16R-17-R4: Supplementary Materials

Marianne,

Please re-send the October 11 email indicated below. As previously sent, the original photos were embedded in the email, and as such we cannot access the metadata from

the photos. If you could please send them as individual attachments, with the metadata intact, it would be very helpful. Thank you.

Best Regards,

Jonathan M. Stein
Attorney Advisor
Office of General Counsel — External Civil Rights Compliance Office
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. | Mailcode 2310A | Washington, DC 20460

202/564-2088 | Stein.Jonathan@epa.gov

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#ALLCAPS



Please consider the environment before printing this email.

From: Engelman-Lado, Marianne [<mailto:marianne.engelman-lado@yale.edu>]
Sent: Tuesday, October 30, 2018 6:30 PM
To: Rhines, Dale <rhines.dale@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Stein, Jonathan <Stein.Jonathan@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>
Cc: Northrop, Caleb <caleb.northrop@yale.edu>; Acheampong, Elvis <elvis.acheampong@yale.edu>; Leah Aden <LAden@naacpldf.org>; Jonathan J. Smith <jjsmith@earthjustice.org>; Sarah M Jackson <smj2166@columbia.edu>; Ashley Marie Gregor <ag2589@columbia.edu>; Nicole Sockett <nicole.sockett@columbia.edu>; Suzanne Novak <snovak@earthjustice.org>; Dorka, Lilian <Dorka.Lilian@epa.gov>
Subject: Re: Ashurst Bar/Smith Community Organization March 5 2018 Complaint, Case No. 16R-17-R4: Supplementary Materials

This email is intended as an additional follow up to Dale Rhines' question regarding whether ABSCO has photographs taken after December, 2016. We wanted to make sure that ECRCO had received the email below from October 11, which highlighted four photographs taken in July 2018. As you know, the email below was one of several emails sent on ABSCO's behalf with documentation in support of the complaint.

Please let us know if you had any difficulty downloading the photographs that were attached to the email or retrieving the metadata.

I would note that in reviewing the metadata, we found that the photograph labelled Gleedon 7-11-18 749AM was actually taken on 7-11-18 in the evening, at 7:49 *pm*, which was also after operating hours.

In response to your request, we are also working with Ex. 6 Personal Privacy (PP) to provide an affidavit describing the circumstances surrounding the photographs. Please let us know if you have any particular questions that you would like addressed in the affidavit.

Sincerely,

Marianne

Marianne Engelman Lado
Mle2128@columbia.edu

Ex. 6 Personal Privacy (PP)

From: "Engelman-Lado, Marianne" <marianne.engelman-lado@yale.edu>
Date: Thursday, October 11, 2018 at 2:26 PM
To: Dale Rhines <rhines.dale@epa.gov>, Debra McGhee <mcghee.debra@epa.gov>, "Stein, Jonathan" <Stein.Jonathan@epa.gov>, "Covington, Jeryl" <Covington.Jeryl@epa.gov>, "Biffl, Betsy" <Biffl.Betsy@epa.gov>
Cc: "Northrop, Caleb" <caleb.northrop@yale.edu>, "Acheampong, Elvis" <elvis.acheampong@yale.edu>, Leah Aden <LAden@naacpldf.org>, "Jonathan J. Smith" <jjsmith@earthjustice.org>, Sarah Jackson <smj2166@columbia.edu>, Ashley Marie Gregor <ag2589@columbia.edu>, Nicole Sockett <nicole.sockett@columbia.edu>, Suzanne Novak <snovak@earthjustice.org>, "Dorka, Lilian" <Dorka.Lilian@epa.gov>
Subject: Ashurst Bar/Smith Community Organization March 5 2018 Complaint, Case No. 16R-17-R4: Supplementary Materials

This email is submitted with attachments in further support of Ashurst Bar/Smith Community Organization March 5 2018 Complaint, Case No. 16R-17-R4. Given memory limitations, we are submitting the photographs in three successive emails.

The attached photographs document and corroborate statements by residents of the Ashurst Bar/Smith community offered during July 31-August 2, 2018 site visit that trash is regularly left uncovered after hours, contributing to adverse odors, interfering with the quality of life, and attracting vultures and other pests. On February 10, 2017, the Alabama Department of Environmental Management, approved Solid Waste Disposal Facility Permit 62-11, permitting Stone's Throw to operate with a variance allowing the Landfill to utilize tarps as alternate daily cover. (Permit #66-11, at 15). These photographs also demonstrate that the tarps are inadequate cover: even when used, they do not cover the working face of the open cell.

The four photographs attached herein were taken by Ex. 6 Personal Privacy (PP). One of the photographs (Wash Blvd 7-11-18 754PM.jpg) shows an open face of the landfill with uncovered trash after hours. The additional photographs (Gleeden 7-11-18 749AM.jpg; Gleeden 7-13-18 612AM.jpg; and Wash Blvd 7-12-18 712AM.jpg) are taken early in the morning, reflecting the observation that trash was left uncovered through the night and continuing into the following morning.

According to the website for Stone's Throw, the Landfill's hours of operation end at 5 pm each night. (You also heard testimony during the site visit this summer that the Landfill operates outside of these publicized hours of operation.)

Hours of Operation

Monday 6 am - 5 pm
 Tuesday 6 am - 5 pm
 Wednesday 6 am - 5 pm

Thursday 6 am - 5 pm
Friday 6 am - 5 pm
Saturday CLOSED
Sunday CLOSED

<https://www.advanceddisposal.com/al/tallassee/stones-throw-landfill> (visited Oct. 10, 2018).

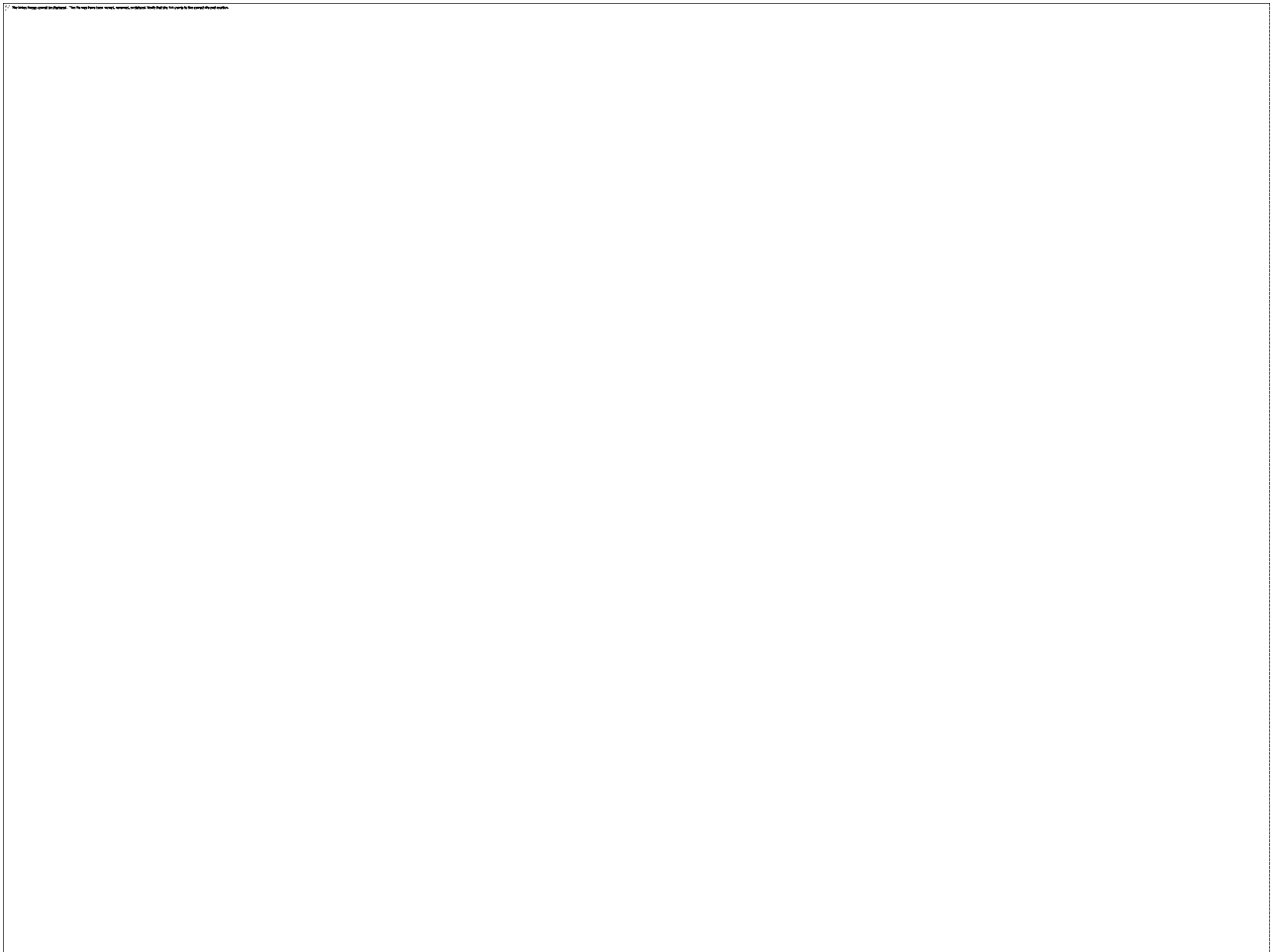
Please find additional photographs in two subsequent emails.

Please let us know if you require additional information about these photographs.

Sincerely,

Marianne Engelman Lado
For Complainants, ABSCO
Mle2128@columbia.edu

Ex. 6 Personal Privacy (PP)



<image001.jpg><image002.jpg>